IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24063 of 2007

DATED: 15.11.2007

Between:

Smt Payam Seethamma petitioner

And

The District Collector,
Khammam district, Khammam and ors
Respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

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ORDER:

This writ petition is filed questioning the proceedings dated 21.3.2007 rejecting the request of the petitioner for employment under land losers' quota on the ground that her status as land loser has not been duly certified.

The petitioner claims that land admeasuring Ac.1.02 cents in survey no.79, Ammagaripalli village, Aswapuram mandal, Khammam, belonging to her mother, was acquired for establishment of third respondent industry and she was identified as member of the family for employment and the Sub Collector, Kothagudem issued land loser certificate in RC No.D/4171/86 dated 26.1.1987. In the year 1991, she was interviewed and her name was included in the list for providing employment under land losers' quota and thereafter no further action was taken in the matter. Thereafter, the Project Officer, I.T.D.A, Bhadrachalam issued notice dated 4.11.2004 for conducting enquiry in respect of certificates and petitioner attended the said enquiry. Since no further action was taken in the matter, petitioner made a representation dated 3.2.2007 to consider her case and the same was rejected by impugned orders dated 21.3.2007 on the ground that her status as land loser has not been duly certified. Hence, the present writ petition.

Learned counsel for petitioner submitted that the petitioner was identified as eligible member of the land loser family and issued with certificate dated 26.1.1987 and after conducting interview her name was registered for providing employment subject to availability of vacancies and rejecting her claim vide impugned proceedings dated 21.3.2007, is illegal and unjust.

Heard the learned counsel for petitioner and Ms. V.Sandhya, learned Standing Counsel for third respondent. Both counsel agreed for disposal of the writ petition at the admission stage.

The claim of the petitioner was rejected on the ground that her status as land loser has not been duly certified. The petitioner disputes the same and contends that she is eligible for employment under land losers quota. In terms of memo dated 7.7.1981, the District Collector is competent authority to adjudicate the disputes relating to providing employment under land losers' quota and specifying the member of the family to be given employment. The relevant portion reads as under.

a) ….. The Collector will also specify which member of the family is to be given employment. In case of disputes, the decision of the Collector shall be final and binding on the company.

b) …….

The District Collector is the authority to ensure implementation of the above conditions by the Company and also to decide about the identification of the member of the family who should be given employment in the project.

In view of the fact that the District Collector is competent authority to decide the disputes related to providing employment to land losers, this Court deems it appropriate to direct the petitioner to make a

representation to the District Collector/first respondent. If the first respondent on consideration of the matter, declares the petitioner eligible for employment under land losers quota, the third respondent is directed to consider the case of the petitioner for suitable employment in the third respondent industry and pass appropriate orders, expeditiously, in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 15.11.2007
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